

The Stream Line

On Kentucky's State Revolving Fund (SRF) Program

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Contact Information

Shafiq Amawi
Division of Water (DOW)
200 Fair Oaks Lane
4th Floor
Frankfort, KY 40601
502-564-3410, ext. 4961
Fax: 502-564-9003
E-mail:
Shafiq.amawi@ky.gov
water.ky.gov

Sandy Williams
Kentucky Infrastructure
Authority (KIA)
1024 Capital Center Drive
Suite 340
Frankfort, KY 40601
502-573-0260
Fax: 502-573-0157
kia.ky.gov



What Is Davis-Bacon?

The Davis-Bacon Act of 1931 is a federal law that establishes the requirement for paying the local prevailing wages on public works projects. It applies to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair of public buildings or public works.

All wastewater and drinking water projects funded in whole or in part with State Revolving Fund (SRF) assistance must meet federal Davis-Bacon wage requirements. Federal labor laws regarding prevailing wages, hours of work, and rates of pay shall apply to construction carried out in whole or in part with assistance from Clean Water SRFs (CWSRF) and Drinking Water SRFs (DWSRF). These requirements are collectively known as the Davis-Bacon laws. These requirements are in addition to the requirements of Kentucky prevailing wage laws. All CWSRF and DWSRF financings will be required to comply with the Davis-Bacon laws and incorporate these provisions into any project work that has been or will be contracted.

Davis-Bacon language and appropriate Davis-Bacon wage determinations must be included in bid documents and contract for construction with appropriate federal labor standards provisions. This requisite language is included in the most recent Supplemental General Conditions which can be obtained from the Division of Water (DOW) and should be included when submitting plans and specifications to DOW for review and approval.

The following forms, which can be obtained from DOW or Kentucky Infrastructure Authority

(KIA), must be completed by the borrower and submitted to the DOW along with the construction contract procurement documentation:

- Davis-Bacon Contract Award Information
- Project Wage Rate Sheet (HUD 4720)

The following forms, which can be obtained from DOW or KIA, must be submitted to KIA once every quarter for the duration of the project:

- Davis-Bacon Quarterly Borrower Certification - filled out by the borrower
- Davis-Bacon Quarterly Contractor Certification - filled out by the prime contractor
- Davis Bacon Quarterly Sub-Contractor Certification - filled out by the sub-contractors

If you have any questions regarding these reporting requirements, please contact John LeFevre at john.lefevre@ky.gov or by phone at 502-573-0260.



Help Us Help You

The Division of Water (DOW) frequently receives mail with no explanatory information attached. This includes drawings, blueprints, plans and specifications, applications, etc. In order to properly process these documents, DOW is requesting that all mailings be accompanied by a brief letter or cover sheet stating what is included in the mailing and for what person, section or program it is intended. Thank you for helping us help you!

DOW Helps Water Systems Prepare For Emergencies

Division of Water (DOW) is helping public drinking water systems prepare for emergency situations by providing an Emergency Response Plan (ERP) template. This template provides a framework for the public water systems to create a comprehensive ERP to fit their specific needs.

An ERP is not currently a regulatory requirement for public water systems. However, having an ERP in place and exercising it regularly are strong recommendations from DOW.

"An updated list of water system components and pre-defined response actions are critical to initiating rapid, effective emergency response," said Anne Powell, who is coordinating the project for DOW. "With an ERP, Kentucky's public water systems will be ready to endure the worst of any disaster while striving to maintain high quality service to customers."

For more information, please contact Anne Powell at 502-564-3410. The ERP template is available on the DOW website at: <http://water.ky.gov/DrinkingWater/Pages/CapDev.aspx>.



Community Spotlight

Under its consent decree with the U.S. Environmental Protection Agency (EPA) and the Commonwealth of Kentucky, the Lexington-Fayette Urban County Government (LFUCG) is required to complete \$30 million in storm water flood abatement projects over the next ten years.

LFUCG has been granted \$4,657,640 from the State Revolving Fund (SRF) Clean Water Fund A to complete the bundled project that includes the Anniston-Wickland Storm Water Improvement Project and the Cardinal Lane Storm Water Improvement Project. The Anniston-Wickland Project, now in its third and final phase, represents an overall combined investment of nearly \$2.3 million in storm water infrastructure improvements spanning the last 36 months. The Cardinal Lane Project is in its second phase and has been identified as having construction-ready storm water management projects. It includes both water quality and water quantity (flooding) control projects.

These two bundled projects will help reduce peak flows from storm water runoff due to the construction of the detention basin/conveyance system. They will also help reduce erosion and pollutant loading caused by chronic structural flooding in several residential areas.

LFUCG was also granted \$13,674,302 from the SRF Clean Water Fund A to complete the bundled project that includes the Bob-O-Link Trunk Sewer Project, the Wolf Run Tank Project, and the Wolf Run Trunk Sewer Project. The Bob-O-Link Project will replace/upsue approximately 4,398 linear feet of existing sanitary sewer that lacks sufficient capacity to meet LFUCG's EPA mandated Capacity Assurance Program. The Wolf Run Tank Project will design and construct a 1.8-million-gallon wastewater storage facility. The Wolf Run Trunk Sewer Replacement Project will replace/upsue approximately 1,595 linear feet of an existing sanitary sewer that lacks sufficient capacity to meet LFUCG's EPA-mandated Capacity Assurance Program. Each of these projects was proposed in LFUCG's Remedial Measures Plan which was submitted to the EPA in October of 2011 and will mitigate sanitary sewer overflows in Lexington.



News You Can Use

SRF Binding Commitments, November 2012 to April 2013

November 2012

Fund F (Drinking Water)

- Columbia Adair County Utilities District-\$4,000,000

December 2012

Fund F (Drinking Water)

- Nicholasville-\$250,000
- Nicholasville-\$756,100

February 2013

Fund A (Clean Water)

- Frankfort-\$8,000,000
- Regional Water Resource Agency-\$1,655,565

Fund F (Drinking Water)

- Danville-\$4,000,000
- Madison County Utility District-\$856,528
- Vanceburg-\$850,000

March 2013

Fund A (Clean Water)

- Lexington-Fayette Urban Co. Government-\$4,657,640
- Lexington-Fayette Urban Co. Government-\$13,674,302
- Lexington-Fayette Urban Co. Government-\$10,194,421
- Lexington-Fayette Urban Co. Government-\$21,641,030
- Lexington-Fayette Urban Co. Government-\$6,000,000

Fund F (Drinking Water)

- Harrodsburg-\$1,688,950
- Frankfort Electric & Water Plant Board-\$4,000,000
- Henry County Water District No. 2-\$2,855,000

April 2013

Fund A (Clean Water)

- Pineville-\$533,485

Fund F (Drinking Water)

- Sebree-\$885,738

Update on ARRA Funds Expended and Remaining

The American Recovery and Reinvestment Act (ARRA) of 2009 allotted \$70.2 million to Kentucky for wastewater infrastructure and drinking water projects.

Kentucky Clean Water State Revolving Fund received approximately \$49.7 million while Kentucky's Drinking Water State Revolving Fund received approximately \$20.5 million.

To date, Kentucky has paid out \$48,617,114.38 in Clean Water ARRA project expenditures, with \$1,084,617.64 in project funds still under construction. There were 45 Clean Water ARRA projects, and 41 of those are now closed with all construction work and ARRA required documentation completed.

Kentucky has paid out \$19,281,282.72 in Drinking Water ARRA project expenditures, with \$1,164,066.99 still under construction. There were 18 Drinking Water ARRA projects, and 13 of those are now closed with all construction work and ARRA required documentation completed.

If you have an ARRA project that has not yet closed, please note that EPA is requesting that all ARRA projects be completed and all funds expended by Sept. 30, 2013.

We need your help!

Do you have an idea or suggestion for a future issue of *The Stream Line* or know someone to add to our mailing list? Contact Buddy Griffin at buddy.griffin@ky.gov. Please forward this newsletter to others who may be interested!

The Stream Line

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The Stream Line is published by the Division of Water with state and federal funds. Write the Division of Water, Water Infrastructure Branch, SRF & SPAP Section, 200 Fair Oaks Lane, 4th Floor, Frankfort, KY 40601 to have your name and e-mail address added to the mailing list, call 502-564-3410, ext. 4592, fax your request to 502-564-9003 or e-mail joel.murphy@ky.gov.

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